

**LYNCHBURG CITY COUNCIL  
Agenda Item Summary**

MEETING DATE: **February 14, 2006**

AGENDA ITEM NO.: 7

CONSENT:

REGULAR: **X**

CLOSED SESSION:  
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Subdivision, Street Dedication and Naming Requests – The Bluffs at Riverside, Section 3, off Riverside Drive**

RECOMMENDATION: Approval of resolution to approve the street dedication and naming requests

SUMMARY: William W. Holt, represented by Troy D. Williams, Hurt and Proffitt, Inc., is requesting to dedicate a new public street to be named “River Bluff Court,” off Riverside Drive in the proposed “The Bluffs at Riverside, Section 3 and Resubdivision of Lot 5, Section 1” Subdivision. The proposed street, with a fifty (50) foot right-of-way, would extend from Riverside Drive in a southeasterly direction for approximately 650 feet to its terminus in a cul-de-sac. The new street and Riverside Drive will serve 21 newly created lots for residential development.

PRIOR ACTION(S):

January 11, 2006: Planning Division recommended approval  
Planning Commission recommended approval (6-0 with 1 member, Jane Bacon, absent)

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn/455-3902  
Tom Martin /455-3909  
Annette Chenault /455-3894

ATTACHMENT(S):

- Resolution
- PC Report
- PC Minutes
- Subdivision Plat
- Vicinity Map

REVIEWED BY: lkp

## RESOLUTION

A RESOLUTION APPROVING THE DEDICATION OF A PUBLIC STREET AND NAMING THE NEW STREET.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the dedication of a public street fifty (50) feet in width for right-of-way, approximately 650 feet in length, to be constructed in compliance with a plat made by Hurt & Proffitt, Inc. which plat is dated October 20, 2005, be, and the same is hereby, approved and accepted, contingent upon containing construction bonds and the recordation of an executed subdivision plat.

BE IT FURTHER RESOLVED that the name "River Bluff Court" is hereby approved for the new public street.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

017L

To: Planning Commission  
From: Planning Division  
Date: January 11, 2006  
RE: **SUBDIVISION, STREET DEDICATION AND NAMING REQUESTS- THE BLUFFS AT RIVERSIDE, SECTION 3, OFF RIVERSIDE DRIVE**

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**I. APPLICANT**

**Property Owner:** William W. Holt, 2719 Hurdle Hill Road, Lynchburg, VA 24503

**Representative:** Troy D. Williams, Hurt & Proffitt, Inc., 2524 Langhorne Road, Lynchburg, VA 24501

**II. LOCATION**

The subject property is a tract of land containing 9.617 acres located on the east side of Riverside Drive, which is off Rivermont Avenue. The proposed new road contains 0.96 acre located on the east side of Riverside Drive.

**III. PURPOSE**

The purpose of the request is to dedicate 0.96 acre for right-of-way for the proposed public street to be named "River Bluff Court" located on the east side of Riverside Drive. An additional .097 acre will be dedicated along the north side of Riverside Drive for right-of-way, but the only required road improvements to Riverside Drive will be at the entrance to River Bluff Court. The new street and Riverside Drive will serve 21 newly created lots for residential development.

**IV. SUMMARY**

- **Request agrees with the Subdivision Ordinance requirements for dedicating public rights-of-way in an existing R-2, Low-Medium Density Single-Family Residential District.**
- Request agrees with the Zoning Ordinance requirements for rights-of-way dedications.
- Request complies with City Code Section 35.105 requirements that "...all streets dedicated or private...may be assigned a name provided that a name assignment has been requested by the property owner on said street, and provided further that the Planning Commission deems the petitioned street of sufficient significance to warrant naming."
- Request complies with City Code Section 35.111 requirement that states the "proposed street name will be reviewed by the Technical Review Committee, Planning Commission and City Council, with the final decision resting with Council."

**The Planning Division recommends approval of the public street dedication and naming requests.**

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**V. FINDINGS OF FACT**

1. **Background.** Troy D. Williams, Hurt & Proffitt, Inc., is requesting to dedicate 0.96 acre for right-of-way for the proposed public street to be named "River Bluff Court" located on the east side of Riverside Drive, which is off Rivermont Avenue. The proposed street, with fifty (50) feet of right-of-way, would extend from Riverside Drive in a southeasterly direction for approximately 650 feet to its terminus in a cul-de-sac surrounded by lots created by this subdivision. The Public Works Department requires that an additional .097 acre be dedicated along the north side of Riverside Drive for right-of-way purposes, but the only required road improvements to Riverside Drive will be at the entrance to River Bluff Court.
2. **Zoning.** The subject property is zoned R-2, Low-Medium Density, Single-Family Residential District.
3. **Waivers.** No waivers from the Subdivision Ordinance will be needed for the subdivision, street dedication and naming requests.
4. **Proposed Use of Property.** The new street and Riverside Drive would serve 21 newly created lots for residential single-family development.
5. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed a preliminary subdivision plat on December 6, 2005. The TRC noted the need for several revisions, most of which

are minor in nature and which are expected to be resolved by the applicant prior to the approval of a final plat. The TRC had the following comments of significance to the consideration of the requested subdivision, street dedication and naming:

- “Remove the reference to W. Park Drive on the plat. This street was vacated by City Council on March 13, 2001.”
- The Traffic Engineer, the Fire Marshal, the Emergency Communications Administrator and the Lynchburg Post Office Customer Services Manager found that the proposed street name “River Bluff Court” does not conflict with any existing street names.
- “Additional road improvements will be required as part of this subdivision.” (This would include improvements to Riverside Drive at the entrance to River Bluff Court.)
- “Road, water and sewer plans are to be submitted separately to the Engineering Division for review.”

## **VI. PLANNING DIVISION RECOMMENDED MOTION**

Based on the proceeding findings of fact, the Planning Commission recommends to City Council approval of the dedication of the public street to be named “River Bluff Court,” with fifty (50) feet of right-of-way, approximately 650 feet in length, to be constructed in substantial compliance with the plat by Hurt & Proffitt, Inc., dated October 20, 2005. The dedication of River Bluff Court and its acceptance as a public street is contingent on William W. Holt filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City’s acceptance of River Bluff Court as a public street null and void.

This matter is hereby offered for your consideration.

William T. Martin, AICP  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney  
Ms. Rachel O. Flynn, Director of Community Planning & Development  
Mr. R. Douglas Dejarnette, Fire Marshal  
Mr. J. Lee Newland, Director of Engineering  
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau  
Capt. Todd Swisher, Lynchburg Police Department North Division  
Capt. H. W. Duff, Jr. Lynchburg Police Department East Division  
Capt. Al Thomas, Lynchburg Police Department South Division  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Robert Drane, Building Commissioner  
Mr. Keith Wright, Zoning Official  
Mr. Robert S. Fowler, Zoning Official  
Ms. Annette M. Chenault, Planner II  
Ms. Nicole Gilkeson, Community Development Planner  
Mr. Troy D. Williams, Representative

## **VII. ATTACHMENTS**

1. **“Plat Showing Section 3 and Resubdivision of Lot 5, Section 1, The Bluffs at Riverside”**  
(see attached plat by Hurt & Proffitt, Inc., dated October 20, 2005)

## MINUTES FROM THE JANUARY 11 PLANNING COMMISSION MEETING

The purpose of the request is to dedicate 0.96 acre for right-of-way for the proposed public street to be named "River Bluff Court" located on the east side of Riverside Drive. An additional .097-acre will be dedicated along the north side of Riverside Drive for right-of-way, but the only required road improvements to Riverside Drive will be at the entrance to River Bluff Court. The new street and Riverside Drive will serve 21 newly created lots for residential development.

Mr. Tom Martin, City Planner explained that the subdivision would create twenty-one (21) new lots on a .096 acre tract of land that would run along the existing Riverside Drive or along a new City street proposed to be named "River Bluff Court." He said the street along Riverside Drive would extend approximately six hundred fifth (650) feet to the terminus in a cul-de-sac, with a sidewalk along the northern side of the street. He added that an additional .097-acre would be dedicated to the City for right-of-way purposes. Mr. Martin noted that the property was currently zoned R-2, Single-Family Residential, which required ten thousand (10,000) square foot lots. The lots, he continued, would range in size from 0.261 acre to 0.687 acre, and would be served by both City water and sewer. He added that the Fire Marshal, Traffic Engineer, Emergency Services Administrator or Post Office representative saw no conflict with the proposed street name.

Mr. Troy Williams, Hurt and Proffitt, Inc., represented Mr. William Holt in this request. Mr. Williams explained that of the three sections of this development, Sections 1 and 2 fronted on Riverside Drive and did not require street dedication nor Planning Commission and City Council approval, unlike Section 3, which needed approval of the street dedication. He said the lots would be served by public water and sewer, with utilities both above and under ground.

Commissioner Sale asked if a sidewalk was planned to go around the entire site and if there were plans to widen Riverside Drive. He added that he had spoken to some of the neighbors to this development and there was a lot of concern with the amount of traffic flow. He asked Mr. Williams how many residents would be using the street when the development was completely built out.

Mr. Williams said the sidewalk would go around the upper, or north, side of the development and would terminate at the cul-de-sac, but would not be on both sides of the street. He said when Hurt & Proffitt did the engineering they added pavement and sidewalk to the developer's side of the road to bring the road to full width, which was required by the City. However, he noted, there were no plans for improvement on the other side of the street. Mr. Williams added that on the skinny part of the road the developer was adding and dedicating an additional right-of-way that would be more than the required fifty- (50) foot for any improvements the City might want to do in the future. He said there would be approximately one hundred fifty (150) trips per day generated from the proposed development, and told the Commission that there were no comments from the City Traffic Engineer concerning the increased volume of traffic.

Vice-Chair Hamilton asked if the Planning Division had heard from any of the citizens concerning increased traffic from the proposed development.

Mr. Martin said the Planning office had received no comments from the neighbors. He reminded the Commission that the request before them was simply for the dedication of the street and the approval of the street name, and added that this was not a public hearing item. He said Riverside Drive was an existing City street, the property was zoned appropriately, and it would be very hard to deny this request. He told the Commission that if they were concerned about Riverside Drive, then they should suggest strongly that some form of street improvement be included in the Capital Improvement Plan.

After discussion, Commissioner Worthington made the following motion, which was seconded by Commissioner Barnes and passed by the following vote:

"That the Planning Commission recommends to City Council approval of the dedication of the public street to be named "River Bluff Court," with fifty (50) feet of right-of-way, approximately 650 feet in length, to be constructed in substantial compliance with the plat by Hurt & Proffitt, Inc., dated October 20, 2005. The dedication of River Bluff Court and its acceptance as a public street is contingent on

William W. Holt filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City's acceptance of River Bluff Court as a public street null and void."

AYES:	Barnes, Flint, Hamilton, Oglesby, Sale, Worthington	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Bacon	1